

Private Land/Public Wildlife Advisory Council

Report and Recommendations



**Presented
to
Governor Steve Bullock,
the 64th Legislature
&
Fish, Wildlife, & Parks**

January 2015

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Introduction

In November, 2013, Governor Steve Bullock appointed 18 citizens representing the interests of Montana hunters, anglers, landowners, and outfitters to the Private Land/Public Wildlife Council. While MCA 87-1-269 articulates the basic statutory charge of the Council, which is to report to the Governor and the Legislature regarding various elements of Fish, Wildlife, & Parks (FWP) Hunting and Fishing Access Enhancement Programs (Appendix A), Governor Bullock provided Council members with a more general charge, urging the group to focus work efforts on recommendations that might help improve relationships among Montana hunters, anglers, landowners, outfitters, and FWP, and improve access to Montana private and public land while recognizing the contributions of Montana landowners in providing habitat for Montana public wildlife resources and access opportunities for public hunters and anglers. (Appendix B)

Council members met seven times at various locations throughout the state from January – August, 2014. All meetings were public meetings that included specified times for taking public comment. During the interim between meetings, Council members worked on preliminary draft recommendations through working group assignments. All meeting summaries and related information were posted on the FWP PL/PW website throughout this process.

FWP provided staff assistance to the Council as needed, which included providing background informational material, coordinating meeting logistical arrangements, and working with a contracted facilitator to conduct meetings.

Facilitation services were provided by University of Montana Center for Natural Resources & Environmental Policy Center, through a contractual agreement between FWP and U of M.

In August, 2014, the Council adopted 4 goals and 8 DRAFT Recommendations, which were offered for public comment during a 30-day comment period from August 12 – September 12. A total of 22 interested persons and 5 organizations offered comment by email or written communication, while an additional 35 individuals and 1 organization offered comments using an online survey.

In September, 2014, after reviewing public comments and considering issues raised through those comments, the Council adopted the 4 goals and 8 FINAL Recommendations, which are offered here through this report to Governor Bullock, the 64th Legislature, and FWP.

Executive Summary

Goal A: Maximize access to public lands while respecting and understanding private property rights.

Recommendation 1: The Governor should coordinate the appointment of an Interagency Access Committee, led by MACO, with representatives from the BLM, USFS, USFWS, DNRC and FWP, to be charged with: (1) developing an inventory of public roads; (2) developing an inventory of public lands where public access is restricted or not available, and; (3) issuing an annual report that will be made available to the public and agencies to assist with projects and programs designed to promote public access to public lands. Adequate funding and personnel should be provided to fulfill this recommendation.

Recommendation 2: FWP should develop voluntary corner-crossing access agreements as a pilot project with private landowners through the FWP Access Public Lands Program that will provide public access to public land that is not otherwise legally accessible.

Recommendation 3: FWP should continue and expand the existing program to mark boundaries and legal entry/ exit points on legally accessible state and federal public lands.

Recommendation 4: Create a new license statute by combining elements of “Native Montana Nonresident License” (MCA 87-2-514) with current “Home to Hunt license” (MCA 87-2-526).

Goal B: Improve communication and relationships among outfitters, landowners, hunters, and Fish, Wildlife, & Parks in order to understand and respect each other.

Recommendation 5: FWP should market, advertise, and more strategically communicate the value and availability of FWP access options to landowners and other stakeholders.

Goal C: Increase public access to private property and outfitted lands owned by traditional and non-traditional landowners by addressing their needs and building relationships.

Recommendation 6: FWP should expand the options within the *existing* statutory authority of MCA 87-2-513 (*Landowner Elk Permit for Access Program – formerly referred to as HB 454 Program*) to allow issuance of either-sex or antlerless elk permit(s) to a landowner who offers free public hunting through a contractual public elk hunting access agreement.

Goal D: Improve hunter compliance and recognize good behavior.

Recommendation 7: The Hunter-Landowner Stewardship Project (HLSP) should be supported, encouraged, updated, improved, and expanded.

Recommendation 8: FWP should develop Public Service Announcements (PSAs) that recognize and publicize good hunter/landowner relations.

Goals and FINAL Recommendations

Goal A: Maximize access to public lands while respecting and understanding private property rights.

Recommendation 1: The Governor should coordinate the appointment of an Interagency Access Committee, led by MACO, with representatives from the BLM, USFS, USFWS, DNRC and FWP, to be charged with: (1) developing an inventory of public roads; (2) developing an inventory of public lands where public access is restricted or not available, and; (3) issuing an annual report that will be made available to the public and agencies to assist with projects and programs designed to promote public access to public lands. Adequate funding and personnel should be provided to fulfill this recommendation.

1. This must be a county-controlled and county-driven process supported by sufficient funding.
2. One option for county consideration would be to establish a committee to work on this process over a period of time. This would allow for community conversations with landowners to address questions and issues that could arise as access roads are more clearly identified.
3. Participation and the involvement of the Montana Association of Counties are essential to this effort.
4. Funding may be available from state and federal agencies to help counties work on this initiative.
5. It would be beneficial to know what work has already been done to clarify access roads. For example, work on this issue already accomplished by the Forest Service and Fergus County may be instructive to other agencies and counties motivated to do this work.
6. The desired end product is some type of map, in a consistent format across all counties, which is useful for sportsmen and the public in general.
7. The inventory of roads should include jurisdiction of road (federal, state, county, private, undetermined) and status (open, closed, unspecified).

Rationale

A document containing an inventory of public roads would provide the needed baseline information to complete the inventory of the public lands where public access is restricted or not available. This effort would help alleviate conflict between sportsmen and private property owners and allow agencies, sportsmen's groups and NGO's to focus access work with private landowners along key routes. Over the long term, legal access points would be made known to sportsmen and landowners, and improved relationships and access to public lands would result. In addition, implementation of this recommendation would give visibility to the PL/PW Council's concern about public access to public land. It would provide Governor Bullock an

opportunity to solicit appropriate action that reinforces his interest in public access. It would help the Interagency Access Committee to become more effective. In addition, it is a recommendation that is specific, viable, and potentially effective in improving access and agency access coordination.

Background

There are roads, or segments of roads, that have been maintained and used for many years whose legal standing is uncertain. Some roads created through the petition process were not constructed exactly as described in the petition. There are also legal rights-of-way where a road was never constructed or has fallen out of use and is no longer maintained. As such, many county roadbooks and maps have inaccuracies concerning the legal status of maintained roads and the depiction of legal rights-of-way where no road physically exists.

Recommendation 2: FWP should develop voluntary corner-crossing access agreements as a pilot project with private landowners through the FWP Access Public Lands Program that will provide public access to public land that is not otherwise legally accessible.

1. Typical terms of the agreements could specify:
 - a. No restrictions on species that could be hunted;
 - b. No restrictions on weapons that could be used;
 - c. Access would be available from September 1 – January 1;
 - d. Only walk-in hunting access would be allowed;
 - e. Individual circumstances would allow for tailoring to specific needs;
2. Compensation may be considered by FWP per agreement.
3. Regional FWP regional staff, in conjunction with appropriate land management agency staff, will make a determination of the priority and desirability of a potential corner crossing.
4. Public notice of project sites may include:
 - a. Publication of online coordinates;
 - b. Maps made available at FWP offices and on FWP website, and on-the-ground markers and signage, offered in the least intrusive manner possible, similar to that used a bridge fishing access sites;
 - c. Parking areas, where necessary, would be established through terms specific to the individual landowner agreements;
5. Hunters using the program are advised to be proficient in the use of a GPS, and encouraged to complete the Hunter-Landowner Stewardship Project
6. Establish one or two agreements in September 2014, if possible, and at least one agreement per FWP Region thereafter
7. Initial volunteers may be sought by willing Council members and FWP field staff.
8. Upfront costs to FWP are anticipated for signage, set-up, fencing, materials, staff time, etc. These and other longer term costs are anticipated to maintain the program.
9. BMP access coordinators may conduct follow-up monitoring of landowner satisfaction
Sign-in boxes should be used to track hunter participation and acquire hunter satisfaction data. FWP field staff will be used to evaluate program

Rationale

Montana contains approximately 31 million acres of state and federal land. Many parcels of this public land are adjacent to each other only at the corners. Other parcels touch public roads or waterways only at the corner. In Montana, crossing at corners is not considered legal access. FWP should work with interested, volunteer landowners in a respectful manner to increase access to public land through a Corner Crossing pilot project.

Recommendation 3: FWP should continue and expand the existing program to mark boundaries and legal entry/ exit points on legally accessible state and federal public lands.

1. If necessary, develop an interagency Memorandum of Understanding (MOU) to accomplish this work on public land by all agencies.
2. Replicate and expand the existing program as a model to be used around the state.
3. Support the hiring/retention of staff to accomplish the work.
4. Would not require legislation; might require re-allocating existing resources (staff and money) or might require additional resources.

Rationale

Many of Montana's nearly 31 million acres of state and federal land are legally accessible, but often there are no signs or markers indicating where the legal entry or exit points are located. In many cases, there is also no fence or other marker identifying the parcel boundary. Better marking of these legally accessible state and federal lands could help reduce conflicts between recreationists and private landowners while also helping identify more access opportunities for hunters and other recreationists.

Recommendation 4: Repeal “Native Montana Nonresident License” (MCA 87-2-514) and amend “Home to Hunt license” (MCA 87-2-526), as indicated below:

MCA 87-2-526. License for nonresident to hunt with resident sponsor or family member -- use of license revenue.

(1) In addition to the nonresident licenses provided for in [87-2-505](#) and [87-2-510](#), the department may offer for sale 500 B-10 nonresident big game combination licenses and 500 B-11 nonresident deer combination licenses. The licenses may be used only as provided in this section and as authorized by department rules. Sale of licenses pursuant to this section may not affect the license quotas established in [87-2-505](#) and [87-2-510](#). The price of licenses sold under this subsection must be ~~the same~~ 1/2 the price of ~~as~~ nonresident big game combination licenses and nonresident deer combination licenses offered by general drawing pursuant to [87-2-505](#) and [87-2-510](#).

(2) A license authorized in subsection (1) may be used only by an adult nonresident family member of a resident who sponsors the license application and who meets the qualifications of subsection (3). The nonresident family member must have completed a Montana hunter safety and education course prior to March 1, 2015 or have previously purchased a resident hunting license, or been born in Montana or been born to parents who were residents at time of birth. A nonresident family member who receives a license pursuant to subsection (1) must be accompanied in the field by a sponsor or family member who meets the qualifications of subsection (3).

(3) To qualify as a sponsor or family member who will accompany a nonresident licensed under subsection (1), a person must be a resident, as defined in [87-2-102](#), who is 18 years old or older and possesses a current resident hunting license and who is the nonresident's ~~within the second degree of kinship by blood or marriage. The second degree of kinship includes a natural or adoptive~~ mother, father, brother, sister, son, daughter, spouse, grandparent, or grandchild, ~~brother in law, sister in law, son in law, daughter in law, father in law, mother in law, stepfather, stepmother, stepbrother, stepsister, stepson, and stepdaughter.~~ The sponsor shall list on the license application the names of family members who are eligible to hunt with the nonresident hunter.

(4) If the department receives more applications for licenses than the number that are available under subsection (1), the department shall conduct a drawing for the licenses. Applicants who are unsuccessful in the drawing must be entered in the general drawing for a nonresident license provided under [87-2-505](#) or [87-2-510](#), as applicable.

(5) All money received from the sale of licenses under subsection (1) must be deposited in a separate account and must be used by the department to acquire public hunting access to inaccessible public land, which may include obtaining hunting access through private land to inaccessible public land.

Rationale

With the changes recommended by the Licensing and Funding Advisory Council for these two similar, yet different, types of licenses, it makes sense to combine attributes of both licenses into a single license that will maintain the PL/PW Council's original intent in creating a Home to Hunt license whereby nonresident family members can come to Montana to hunt with resident family members, with the revenue generated being used to improve public hunting access to public lands.

Background

There are currently two types of similar nonresident (NR) deer and elk licenses that have been rendered unappealing and/or nonfunctional due to changes that have occurred since their adoption.

MCA 87-2-526 provides authority for FWP to issue a B10 NR deer/elk combination license or B11 NR deer combination license to a nonresident hunter sponsored by a resident family member. The hunter is required to be accompanied in the field by a resident family member who meets the eligibility requirements for sponsoring a nonresident hunter under this statute. There is a limit of 500 B10 and 500 B11 licenses of this type, and all license revenue is earmarked for FWP to use to secure public access to public land.

MCA 87-2-514 provides authority for FWP to issue a nonresident fishing license, upland game bird license, deer A tag, and elk license to a "nonresident relative of a resident," defined as "a person born in Montana who is the natural or adoptive child, sibling, or parent of a resident, but is not a resident." The fee for each of these licenses is four times the amount charged for an equivalent resident license. There is no limit on these licenses. Most of the revenue from these licenses goes into the FWP general license account.

In 2014, the Fish & Wildlife Licensing and Funding Advisory Council developed recommendations to change deer and elk licenses under MCA 87-2-514 into B11 deer combination and B10 deer/elk combination license types, and change the fees for B11 deer combination and B10 deer/elk combination licenses under both MCA 87-2-526 and 87-2 514 to ½ the fee charged for nonresident general B11 deer and B10 deer/elk combination licenses. All B11 and B10 combination licenses include fishing and upland bird license privileges.

The Licensing and Funding Advisory Council also asked the Private Land/Public Wildlife Council to consider developing a recommendation as to how the two licenses types created in MCA 87-2-514 and MCA 87-2-526 might be combined into a single license statute, since the original Home to Hunt License was a product of previous PL/PW Council recommendations.

NOTE: Several people who commented on Draft Recommendation #4 cited questions or concerns that nonresident hunters purchasing the "Come Home to Hunt" license (MCA 87-2-526) are required to "be accompanied in the field by a sponsor or family member..." under the current statute. Members of the Council wanted to responsive to those comments, and requested that FWP provide an explanation, with examples, of how the requirement to "be accompanied in the field" is interpreted, so that some of those questions and concerns could be addressed.

EXPLANATION: The Department's understanding of the intent behind creating this license was that it would offer a special opportunity to eligible nonresident hunters to return to Montana to once again hunt with their family members. Subsequently, the requirement for "a nonresident family member who receives a license...must be accompanied in the field by a sponsor or family member who meets the qualifications under (3)" was written into this law. The Department's interpretation of the meaning of "must be accompanied in the field," in a general sense, is that the sponsor or eligible family member must be a participant in the hunting experience that takes place in the field.

Examples of situations that might meet that requirement include:

- a) an eligible family member hunting with the licensee as a fellow hunter;
- b) an eligible family member staying in camp with the hunter (camp could be temporary camp or permanent residence on site at the hunting location);
- c) an eligible family member assisting the licensee with transportation by vehicle at the hunting site;

Examples of situations that probably would not meet that requirement include:

- a) an eligible family member remaining in town while the licensee hunts afield;
- b) an eligible family member never being present in the location where the licensee hunts;
- c) an eligible family member who hunts in a geographic location so completely removed from the location where the licensee is hunting that there is clearly no sense of accompaniment between the two hunts being conducted;

As is the case with enforcement of any law, the details of each specific situation will determine whether or not the law enforcement official feels the law has been violated, and if so, what the appropriate action is to address the infraction. This law has been in effect since the 2010 hunting season, and no substantive law enforcement issues have arisen.

Goal B: Improve communication and relationships among outfitters, landowners, hunters, and Fish, Wildlife, & Parks in order to understand and respect each other.

Recommendation 5: FWP should more strategically communicate the value and availability of FWP landowner and/or access programs to landowners and other stakeholders.

1. Develop a booklet that identifies that range of options available to landowners who could provide public recreation access. The booklet should explain, with specific examples, how many of the programs can be tailored to each landowner. Include landowner liability information. should include mention of various working groups.
2. Develop a website geared towards landowners, which makes the “landowner toolbox” easy to understand. One section of the website should be used to clarify landowner liability protections under current statute.
3. Develop a commercial/series of commercials that markets relationships between hunters and landowners in order to “re-brand” these relationships. The vision is of a landowner and hunter standing and working together.
4. Encourage and support development of local working groups of stakeholders where appropriate.

Rationale

Private landowners own approximately 64 million acres of land in Montana and are stewards of the public wildlife resource. They provide important wildlife habitat and control access to public wildlife resources on private land. Good relationships among all stakeholders are a strong cornerstone for increasing access to private and public lands, and rely on trust, good communication, and cooperation among all parties.

Goal C: Increase public access to private property and outfitted lands owned by traditional and non-traditional landowners by addressing their needs and building relationships.

Recommendation 6: FWP should expand the options within the *existing* statutory authority of MCA 87-2-513 (*Landowner Elk Permit for Access Program – formerly referred to as HB 454 Program*) to allow issuance of either-sex or antlerless elk permit(s) to a landowner who offers free public hunting through a contractual public elk hunting access agreement.

1. Permits may be issued in multiples of 5, with ratios that could include a 1:2 ratio for either-sex (ES) permits between landowner and public, with remainder of permits issued under this authority being antlerless (A) permits for the public. This would maintain statutory cap of no more than 20% of total permits issued under MCA 87-2-513 being issued to landowner, landowner's family member, or ranch employee.

EXAMPLE: an agreement might allow for the following MCA 87-2-513 permits:

- 1 ES permit to landowner, 2 ES permits to public + 2 A permits to public
(OR)
 - 2 ES permits to landowner, 4 ES permits to public + 4 A permits to public
(OR)
 - 3 ES permits to landowner, 6 ES permits to public + 6 A permits to public
2. In addition to the MCA 87-2-513 permits issued in the examples cited above, the number of additional antlerless opportunities provided to hunters with permits (or licenses) valid for the entire hunting district will depend upon the specific circumstances of the agreement, including such factors as elk herd objective levels, size of land enrolled, etc.
 3. The intent of expanding this program is to increase landowner participation and access for hunters during the regular hunting seasons (bow and general), while still allowing flexibility for potential participation in early or late management seasons or damage hunts, IF statutory and ARM public hunting access eligibility criteria is met.
 4. Landowners and hunters participating in the program are encouraged to complete the Hunter-Landowner Stewardship Project course before applying.
 5. This effort should be considered a pilot effort that would last for four years.
 6. FWP is encouraged to accept landowners into this program only if the landowner has not already been issued an elk permit through landowner preference.

Rationale

The rationale for the recommendation is to create more incentive for more landowners to participate in this program, to create more access opportunities for sportsmen and to offer additional tools for managing elk. This program was created in law in 2003, but has had only one landowner per year participate in the program.

Background

MCA 87-2-513 provides authority for FWP to issue either-sex or antlerless elk permit(s) to a landowner who enters into contractual public elk hunting access agreement under the following provisions:

- Permits are nontransferable and may not be sold;
- Permits may only be used on landowner's property that is opened to public access through a contractual agreement;
- No more than 20% of the permits issued may go to the landowner, landowner's family member, or full-time ranch employee;
- Through the contractual public elk hunting access agreement, the landowner must allow free public elk hunting throughout the regular hunting season;
- The contractual public elk hunting access agreement must also include public hunting by hunters using permits (or B licenses) valid for the hunting district;
- The contractual public elk hunting access agreement developed by the department and the landowner defines the areas that will be open to public elk hunting, the number of public elk hunting day that will be allowed on the property, and other factors that the department and the landowner consider necessary for the proper management of elk on the landowner's property.
- The department may prioritize distribution of permits according to the areas the department determines are most in need of management.

Goal D: Improve hunter compliance and recognize good behavior.

Recommendation 7: The existing Hunter-Landowner Stewardship Project (HLSP) should be supported, encouraged, updated, improved, and expanded.

1. Increase participation through development of a marketing and information plan.
 - a. Encourage FWP staff to complete the HLSP course and help market it; raise awareness of project at appropriate FWP public meetings and through displays and information materials at FWP offices; utilize FWP website to promote the project;
 - b. Encourage hunter education and bow hunter education instructors to complete the HLSP course and encourage students to also complete the HLSP course;
 - c. Increase outreach with high schools, perhaps promoting project as homework assignment or extra credit; target college programs that include agriculture and wildlife majors as a pilot effort;
 - d. Encourage private sector companies to help promote the project;
 - e. Utilize media outlets like TV outdoor sportshows and FWP Wardens TV show to promote the project;
 - f. Target an audience that is all inclusive of hunters, landowners, and resource-oriented citizens of Montana;
 - g. Encourage Governor to promote the project as a means of helping bridge the gap between rural/urban Montana citizens and resident/nonresident Montana landowners;
2. Update, improve and expand the program.
 - a. Add new videos, perhaps having them change periodically, and utilize videos featuring female hunters;
 - b. Improve analytics of web-based system to gather useful data;
 - c. Explore additional incentives to encourage people to complete the project, including an informational booklet for landowners; decals, patches, or other rewards for individuals who complete the project;
 - d. Encourage FWP to appoint a small advisory group to assist with this effort, including varying age groups for appropriate representation;

Rationale

We believe citizens and wildlife in Montana will benefit by more people completing the Hunter-Landowner Stewardship Project because the program helps to bridge the rural-urban community gap, promote good hunter-landowner relationships, and reduce unintended consequences related to hunting on private lands. The project provides tools to gain knowledge of the importance of respect, appreciation, privilege, and responsible behavior to help develop understanding and build relationships to improve hunting opportunities and experiences on private land.

Background

The Montana Hunter-Landowner Stewardship Project is a web-based information program available for anyone interested in promoting responsible hunter behavior and good hunter-landowner relations in Montana.

The program is delivered through an interactive webpage found on the Montana Fish, Wildlife & Parks (MFWP) website www.fwp.gov . It is a voluntary program designed to be completed by participants, at their own pace. Upon successful completion, participants are awarded a certification of completion and they can request a free cap and bumper sticker bearing the Hunter-Landowner Stewardship Project logo from MFWP.

The Hunter-Landowner Stewardship program was developed based on recommendations from two citizen's advisory councils, the Hunter Behavior Advisory Council and the Private Land Public Wildlife Council, urging MFWP to expand efforts to promote responsible hunter behavior and good hunter-landowner relationships beyond Montana's basic hunter education program. In response, the agency convened a group of hunters and landowners to identify key issues relevant to the topic, and assist with development of information that might help effectively address those issues.

The goals of the program are to:

- Promote better understanding of the common ground and different perspectives held by landowners and hunters
- Promote better understanding among landowners and hunters about what constitutes acceptable hunter behavior.
- Provide landowners and hunters with information and ideas about how to develop and maintain good relationships
- Provide information about the shared experience of landowners and hunters in various hunting situations.

The webpage can be found at www.fwp.gov by clicking on the links in the following order: "Hunting", and then under quick links "Hunter-Landowner Stewardship Project".

Recommendation 8: FWP should develop outreach products, to include Public Service Announcements (PSAs), that recognize and publicize examples of good relations among hunters, landowners, and outfitters.

1. Publicize work done by landowners, hunters, outfitters, FWP and others to promote access and relationships.
 - a. FWP could actively solicit and promote this work in public forums, for example, on FWP's website. This would also be a great way to form and/or strengthen partnerships with NGOs.
 - b. Request that Information and Education staff at Regional Offices help facilitate this publicity.
 - c. Request that FWP staff compile a list of awards currently offered to stakeholders by various organizations.
 - d. Also provide recognition in a general way, not specific to any particular individual, for landowners and outfitters who are not formally enrolled as BMP cooperators but still provide access.

Rationale

FWP should actively work to produce information designed to recognize good relations among hunters, landowners, and outfitters. This information should be provided to a broad audience, and focus on promoting and enabling improved relationships and trust among all stakeholders.

APPENDIX A
Council Members (2013-2015)

NAME	RESIDENCE	AFFILIATION
Joe Perry, Chair	Brady	Hunter/Angler
Rich Stuker	Chinook	Landowner/F&W Commissioner
Dwayne Andrews	Miles City	Hunter/Angler
Chris King	Winnett	Landowner
Kathy Hadley	Deer Lodge	Hunter/Angler
Jack Billingsley	Glasgow	Outfitter
Blake Henning	Missoula	Hunter/Angler
Daniel Fiehrer	Helena	Landowner
Lisa Flowers	Glasgow	Hunter/Angler
Denley Loge	St. Regis	Landowner
Rod Bullis	Helena	Hunter/Angler
Tom Jacobson	Great Falls	Hunter/Angler/State Representative
Jim Peterson	Buffalo	Landowner/State Senator
Kendall Van Dyk	Billings	Hunter/Angler/State Senator
Robert DesRosier	Browning	Tribal Member
George Bain	Missoula	USFS ex-officio
Kevin Chappell	Helena	DNRC ex-officio
Pat Gunderson	Glasgow	BLM ex-officio

APPENDIX B
COUNCIL CHARGE/PURPOSE

MCA 87-1-269. “Report Required - review committee. (1) The governor shall appoint a committee of persons interested in issues related to hunters, anglers, landowners, and outfitters, including but not limited to the hunting access enhancement program, the fishing access enhancement program, landowner-hunter relations, outfitting industry issues, and other issues related to private lands and public wildlife. The committee must have broad representation of landowners, outfitters, and sportspersons. The department may provide administrative assistance as necessary to assist the review committee.

(2) (a) The review committee shall report to the governor and to the 59th legislature regarding the success of various elements of the hunting access enhancement program, including a report of annual landowner participation, the number of acres annually enrolled in the program, hunter harvest success on enrolled lands, the number of qualified applicants who were denied enrollment because of a shortfall in funding, and an accounting of program expenditures, and make suggestions for funding, modification, or improvement needed to achieve the objectives of the program.

(b) The review committee shall report to the governor and to the 59th legislature regarding the success of the fishing access enhancement program and make suggestions for funding, modification, or improvement needed to achieve the objectives of the program.

3) The director may appoint additional advisory committees that are considered necessary to assist in the implementation of the hunting access enhancement program and the fishing access enhancement program and to advise the commission regarding the development of rules implementing the hunting access enhancement program and the fishing access enhancement program.”

APPENDIX C - GOVERNOR STEVE BULLOCK'S CHARGE TO THE PL/PW COUNCIL

WHEREAS, relations among landowners, hunters, outfitters, and FWP have become increasingly strained over the past several years;

WHEREAS, some landowners feel their contributions to providing wildlife habitat and hunting opportunities are not adequately appreciated or rewarded, while other landowners are unable to control game animal populations due to actions of neighboring landowners who either allow no hunting or very restricted hunting that prevents adequate harvest of game animals;

WHEREAS, hunters are increasingly concerned about diminishing access to private and public lands for hunting opportunities and harvest of game animals;

WHEREAS, while licensed hunting outfitters provide valuable services to hunters and landowners, their activities can affect availability of public hunting opportunities and management of Montana's public wildlife resources;

WHEREAS, other types of commercial hunting activities can affect availability of public hunting opportunities and management of Montana's public wildlife resources;

WHEREAS, the long-term viability of Montana's free-ranging public wildlife resources and hunting heritage is threatened;

NOW, THEREFORE, Governor Steve Bullock charges the Private Land/Public Wildlife Council, appointed in compliance with MCA 87-1-269, to develop recommendations to help achieve common goals, to include, but not limited to the following:

- 1) Maximize access to private and public land to provide for public hunting opportunities and effective management of public wildlife resources;**
- 2) Maximize landowner satisfaction with available options for effective management of area game populations while minimizing impacts of allowing public hunting;**
- 3) Maximize hunter satisfaction with available options for public hunting access opportunities that can help achieve effective management of area game populations;**
- 4) Maximize outfitter satisfaction with available options for providing public hunting opportunities that can help achieve effective management of area game populations;**
- 5) Maximize effective use of FWP programs, tools, & activities that potentially affect hunting access;**
- 6) Minimize the number of people that do not hunt in Montana because of access-related limitations;**
- 7) Minimize the number of problematic wildlife concentration management situations that result from access-related circumstances;**

APPENDIX D

Block Management Hunting Access Program Report

